

ASSEMBLY BILL

No. 708

Introduced by Assembly Member Jones-Sawyer

February 25, 2015

An act to add Article 10.92 (commencing with Section 25219.5) to Chapter 6.5 of Division 20 of the Health and Safety Code, relating to consumer product safety.

LEGISLATIVE COUNSEL'S DIGEST

AB 708, as introduced, Jones-Sawyer. Consumer products: content information.

Existing law regulates the labeling and use of various consumer products, including toys and toxic household products.

Existing law, administered by the Department of Toxic Substances Control, prohibits the management of hazardous waste, except in accordance with the hazardous waste laws or the regulations adopted by the department. A violation of these laws is a crime.

This bill would, commencing July 1, 2016, prohibit the manufacture, sale at the wholesale or retail level, or distribution of certain consumer products unless the manufacturer (1) discloses each ingredient contained in the product by posting that information on the product label and on the manufacturer's Internet Web site, as prescribed, and (2) provides the Web site and page address on the product label, along with a prescribed statement. By creating a new crime, this bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. Article 10.92 (commencing with Section 25219.5)
2 is added to Chapter 6.5 of Division 20 of the Health and Safety
3 Code, to read:

4
5 Article 10.92. Chemically Formulated Consumer Products

6
7 25219.5. For purposes of this article, the following definitions
8 shall apply:

9 (a) “Chemically formulated consumer product” means a
10 consumer product that is manufactured from chemicals or chemical
11 compounds to be used by household, institutional, commercial,
12 and industrial consumers without further processing for specific
13 purposes. For the purposes of this subdivision, dilution by the
14 consumer is not considered further processing.

15 (b) “Consumer product” has the same meaning as is specified
16 in subdivision (e) of Section 25251.

17 (c) “Designated consumer product” means any product included
18 in the following categories:

19 (1) “Air care product” means a chemically formulated consumer
20 product designed, or labeled to indicate that the purpose of the
21 product is, for masking odors, or for freshening, cleaning, scenting,
22 or deodorizing the air.

23 (2) “Automotive product” means a chemically formulated
24 consumer product designed, or labeled to indicate that the purpose
25 of the product is, to maintain the appearance of a motor vehicle,
26 as defined in Section 670 of the Vehicle Code, including products
27 for washing, waxing, polishing, cleaning, or treating the exterior
28 or interior surfaces of motor vehicles. “Automotive product” does
29 not include automotive paint or paint repair products.

30 (3) “Cleaning product” means a soap, detergent, or other
31 chemically formulated consumer product designed, or labeled to
32 indicate that the purpose of the product is, to clean or disinfect
33 surfaces, including, but not limited to, floors, furniture, countertops,

1 showers and baths, or other hard surfaces, such as stovetops,
2 microwaves, and other appliances, fabric care, or dish or other
3 ware washing.

4 (4) "Polish or floor maintenance product" means a chemically
5 formulated consumer product, such as polish, wax, or a restorer,
6 designed, or labeled to indicate that the purpose of the product is,
7 to polish, protect, buff, condition, temporarily seal, or maintain
8 furniture, floors, metal, leather, or other surfaces.

9 (d) "Ingredient" means a chemical in a designated consumer
10 product.

11 (e) "Manufacturer" means a person or entity that manufactures,
12 assembles, produces, packages, repackages, or relabels a designated
13 consumer product that is sold, distributed, or used in this state.

14 25219.52. Commencing July 1, 2016, no designated consumer
15 product may be manufactured, sold at the wholesale or retail level,
16 or otherwise distributed in this state unless the manufacturer
17 discloses each ingredient contained in the product on the product
18 label and by posting the product ingredient information on the
19 manufacturer's Internet Web site and provides the Web site and
20 page address on the label of the designated product along with a
21 statement directing the consumer to the Internet Web site for
22 information concerning ingredients contained in the product.

23 25219.54. (a) For purposes of disclosing each ingredient
24 contained in the designated consumer product on the product label,
25 the ingredients shall be listed in order of weight, as measured by
26 the ingredient's percentage weight of the total weight of all
27 ingredients in the product. The manufacturer is not required to list
28 the weight of an ingredient in the product.

29 (b) (1) For purposes of disclosing each ingredient contained in
30 the designated consumer product on the manufacturer's Internet
31 Web site, ingredients in a designated consumer product shall be
32 identified by the Chemical Abstract Service (CAS) number and
33 either the Consumer Specialty Products Association Consumer
34 Product Ingredients Dictionary (CSPA dictionary) name, if and
35 when the dictionary is made accessible to the public, or the
36 International Nomenclature Cosmetic Ingredient (INCI) name. If
37 there is not a CSPA dictionary name or INCI name, then the
38 ingredients in a designated consumer product shall be identified
39 by the CAS number and the International Union of Pure and
40 Applied Chemistry (IUPAC) name. If there is no CSPA dictionary

1 name, INCI name, or IUPAC name, then the product shall be
2 identified by the CAS number and common chemical name.

3 (2) In identifying the ingredient name, the manufacturer shall
4 also identify which of the nomenclature references were used for
5 ingredient identification.

6 (3) Each ingredient shall have an explanation of its purpose for
7 being in the designated consumer product.

8 SEC. 2. No reimbursement is required by this act pursuant to
9 Section 6 of Article XIII B of the California Constitution because
10 the only costs that may be incurred by a local agency or school
11 district will be incurred because this act creates a new crime or
12 infraction, eliminates a crime or infraction, or changes the penalty
13 for a crime or infraction, within the meaning of Section 17556 of
14 the Government Code, or changes the definition of a crime within
15 the meaning of Section 6 of Article XIII B of the California
16 Constitution.